

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2011-0084-DNA

CASEFILE/PROJECT NUMBER: COC66151

PROJECT NAME: Durham Well #1-31N

LEGAL DESCRIPTION: SWSE Sec. 31, T. 5 N., R. 90W., 6th P.M. in Moffat County

APPLICANT: SWEPI LC

A. Describe the Proposed Action

The proposed action would be to approve one Sundry Notice (SN) submitted by SWEPI LP to amend the approved Application for Permit to Drill (APD) issued to East Resources, Inc. for WFU Durham Well #1-31N. The proposal would be to move the location 480' to the southwest and to rename it Durham Well #31-1. The oil well would be located on private land in the Waddle Creek Field in Sec. 31, T5N, R90W. The APD was originally submitted by East Resources, Inc. and approved on 10/02/10 by the LSFO; the lease and approved APD have since been transferred to SWEPI LC. The APD included drilling and surface use plans that cover mitigation of impacts to vegetation, soil, surface water, and other resources. Mitigation not incorporated by East Resources in the drilling plan was attached by the BLM as Conditions of Approval to the approved APD. Mitigation not incorporated by SWEPI LP in the drilling plan would be attached by the BLM as Conditions of Approval to the approved SN.

The proposed well would be located approximately 20 miles South of Craig, CO. This oil well would be drilled from a location 480 feet northeast of the previously analyzed and approved WFU Durham Well #1-31N. The estimated duration of drilling for each well would be 20 days, to begin the fall of 2011.

The proposed well pad would be cleared of all vegetation and leveled for drilling. Topsoil and native vegetation would be stockpiled for use in reclamation. Approximately 1.9 acres would be disturbed for construction of the well pad. This would include the 300' by 265' well pad, the topsoil, and subsoil piles and an access road of 359'. A cuttings pit would be constructed on the well pad to hold drill cuttings. If a well is a producer, cut portions of the well site would be backfilled and unused portions of the well site would be stabilized and re-vegetated. If the well

proves unproductive, it would be properly plugged and the entire well pad and access road would be reclaimed.

Total surface disturbance for the proposed Durham #1-31 and access road would be approximately 2.5 acres.

B. Land Use Plan (LUP) Conformance

- LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD) (pg. 6)
Date Approved: April 26, 1989
Language: The proposed action would be located within Management Unit 1 (Little Snake Resource Management Plan). One of the objectives of Management Unit 1 is to provide for the development of the oil and gas resource. The development of other resource uses/values within this unit is allowed consistent with the management objectives for oil, gas, and forest resources (pg. 37).
- Colorado Oil and Gas Leasing and Development Final EIS January 1991

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

DOI-BLM-CO-N010-2010-0107-EA

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Yes, the Proposed Action would be to approve a minor well pad relocation that was previously analyzed and approved in DOI-BLM-CO-N010-2010-0107-EA. The location moved 480' and required a new Class III Cultural Survey. All other analysis still applies and would be unchanged.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

Yes, an adequate range of alternatives were analyzed in DOI-BLM-CO-N010-2010-0107-EA.

3. Is the existing analysis valid in light of any new information or circumstances?

No new information regarding the project area was discovered since the original APD was approved. Yes, the analysis is still valid.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes, the methodology and analytical approach is still valid.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action? Yes, the direct and indirect impacts of this proposed action are substantially unchanged from those identified in DOI-BLM-CO-N010-2010-0107-EA. The direct and indirect impacts would be virtually identical.

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)? Yes, the cumulative impacts of this proposed action are substantially unchanged from those identified in DOI-BLM-CO-N010-2010-0107-EA. The direct and indirect impacts would be virtually identical.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes, the Notice of Staking was posted in the public room of the Little Snake Field Office for a 30-day public review period beginning May 20, 2010. No substantial changes were made.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource Represented	Initials/Date
Shawn Wiser	Natural Resource Specialist	Air Quality, Soils	05/23/11
Ethan Morton	Archaeologist	Cultural Resources, Native American Concerns	06/15/11
Louise McMinn	Realty Specialist	Environmental Justice	05/23/11
Shawn Wiser	Project Lead	Hazardous Wastes	05/23/11
Shawn Wiser	Natural Resource Specialist	Invasive Non-native Species	05/31/10
Hunter Seim	Rangeland Management Specialist	Sensitive Plants, T&E Plant	05/23/11
Desa Ausmus	Wildlife Biologist	T&E Animal	05/20/11
Marty O'Mara	Petroleum Geologist	Ground Water Quality	05/20/11
Emily Spencer	Ecologist	Floodplains, Prime/Unique Farmlands, Surface Water Quality, Wetlands/Riparian Zones	05/23/11
Shane Dittlinger	Outdoor Recreation Specialist	WSA, W&S Rivers	05/31/11

CULTURAL RESOURCES

Cultural resources, in this region of Colorado, range from late Paleo-Indian to Historic. For a general understanding of the cultural resources in this area of Colorado, see *An Overview of Prehistoric Cultural Resources, Little Snake Resource Area, Northwestern Colorado*, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, *An Isolated Empire, A History of Northwestern Colorado*, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and *Colorado Prehistory: A Context for the Northern Colorado River Basin*, Colorado Council of Professional Archaeologists.

The approval of a SN to move the location 480 feet to the northeast would disturb an area which was not included in the original Class III cultural resource survey. The installation of the well pad in the new location is considered an undertaking under Section 106 of the National Historic Preservation Act. The original location and the new proposed location for the Durham 1-31, have undergone a Class III cultural resource survey:

Conner, Carl E., Barbara Davenport, and Nicole Darnell
2011 Class III Cultural Resource Inventory Report for the Proposed Durham 1-31 and Herring 1-9/2-9 Well Locations and Access in Moffat County, Colorado. GRI 2011-49. BLM-LSFO #11.4.2011. OAHF MF.LM/R894. Grand River Institute. Grand Junction Colorado.

Murray, Susan
2010 Class III Cultural Resources Inventory of the East Resources, Inc. Waddle Creek Field Unit Durham 1-31N, 2-31SE Well and Access, Moffat County (BLM 12.34.2010)

These studies did not identify any archaeological or historical sites eligible for the National Register. The proposed undertaking will have no effect on historic properties. It may proceed as described with the following standard mitigative measures in place.

Cultural Mitigative Measures:

1. Any cultural and/or paleontological (fossil) resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and the authorized officer will make any decision as to proper mitigation measures after consulting with the holder.
2. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the

authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
 - Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
3. If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

WILDLIFE

Wildlife Mitigation Measures:

CO-18 Raptor nesting and fledgling habitat. No construction or ground disturbing activities from February 1 – August 15 within a ¼ mile buffer zone around the nest site. During years when nest site is unoccupied after May 15, the seasonal limitation may be suspended. It may also be suspended once the young have fledged and dispersed from the nest site.

CO-09 Big game winter range. No surface disturbing activities between December 1 and April 30 in order to prevent disturbance of big game using critical winter range.

To prevent long term impacts associated with noise, sound producing equipment (such as compressors or pump jacks) must be equipped with a hospital grade muffler or similar device which limits sound emissions to 60 decibels or less measured 100 feet from the source.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist _____/s/ Shawn Wiser_____

Date 06/21/11

Signature of NEPA Coordinator _____/s/ Barbara S. Blackstun_____

Date 06/22/11

Signature of the Field Manager _____/s/ Matt Anderson for_____

Date 06/22/11

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.